

**REMARKS**

Claims 1-12 are currently pending in the present application, with Claims 1, 2, 11, and 12 being amended. Reconsideration and reexamination of the claims are respectfully requested.

The Examiner rejected Claims 1, 3-8, and 10-12 under 35 U.S.C. 103(a) as being unpatentable over Ogino (U.S. patent no. 6,433,946) in view of Kato (U.S. patent no. 5,953,529). This rejection is respectfully traversed with respect to the amended claims.

As previously communicated, the present invention is directed to a method, apparatus, and program for managing digital data wherein the digital data is protected by copyright protection. Specifically, as recited in the claims, a user seeking to perform a specific process on a digital data (such as execution or duplication of the data for private use) is first restricted from performing the specific process and notified of a message calling his or her attention to the presence of a copyright protection associated with the digital data. The message contains messages to which the user may respond to by accepting the content of the message. Upon detecting that the user agreed to the content of the message, the restriction on the specific process is lifted and the notification of the message is stopped once the restriction is lifted. Thereafter, the user is permitted to access the digital data via the specific process without being annoyed by future message notifications.

The claims have been further amended to clarify that, upon a user's acceptance of the message, the lifting of the restriction is recorded onto the removable medium containing the digital data. In accordance with the claimed invention, the lifting of the restriction is specific to the recording medium on which the digital data is stored. Accordingly, if the user should remove the storage medium and insert another one, the restriction will be reapplied (unless the user had previously accepted the copyright message of the replacement medium).

Ogino does not contain any disclosure or suggestion of recording a state of setting of permission onto a removable storage medium. That is, Ogino does not teach or suggest, for instance, recording an indication of recording permission onto the removable disk containing the digital data to be duplicated.

Kato fails to make up for this deficiency. As shown in Fig. 1, Kato is directed to methods of restricting writing of data to certain stack of memory medium. Kato does not, however, disclose or suggest recording a state of setting of a specific function (such as recording permission) onto a removable storage medium. Accordingly, Applicants respectfully submit that Claims 1, 3-8, and 10-12, as amended, are not anticipated by, nor obvious in view of, Ogino and Kato.

The Examiner rejected Claims 2 and 9 under 35 U.S.C. 103(a) as being unpatentable over Ogino in view of Matsumoto (U.S. patent no. 6,542,870). This rejection is respectfully traversed.

As discussed above, Ogino does not contain any disclosure or suggestion of recording a state of setting of permission onto a removable storage medium. Matsumoto fails to make up for the deficiencies of Ogino. As previously communicated, Matsumoto discloses a system for recording data from one storage medium to another storage medium, including processing control information associated with the data to be recorded. Matsumoto simply does not teach or suggesting recording information to a removable storage medium. Accordingly, Applicants respectfully submit that dependent Claims 2 and 9 are not unpatentable over Ogino and Matsumoto.

In view of the above, Applicants respectfully submit that all of the pending claims are in condition for allowance.

If it would further advance the prosecution of the present application, Applicants request the Examiner to contact the undersigned attorney at (213) 892-5587 to discuss any steps necessary to place the application in condition for allowance. In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicant(s) petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing Docket No. 393032027500.

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